



**Senior Legal Hotline**  
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## **PROGRAM SNAPSHOT – Spring 2007**

### **HISTORY:**

- California's Senior Legal Hotline (SLH) is part of Legal Services Corporation-funded Legal Services of Northern California (LSNC) but is an autonomous "special program," responsible for securing virtually all its own budget.
- The first such statewide senior legal hotline was founded by AARP in Pennsylvania in 1985.
- AOA (Administration on Aging) competitive three-year grants began in 1989, under the federal Older Americans Act, Title IV. From 11 to 14 have been funded at any one time. At this time, approximately 25 states have senior legal hotlines, six directly AOA-funded. (Six more states received new grants in 2006, when the AOA program changed, requiring that state government units on aging, not the providers themselves, apply for grants under the program. Most of those are using the funds to support, revive or create statewide hotlines. See also below)
- In other states, some hotlines have succeeded in obtaining state funding to continue when their AOA grants ended and were not renewed. Others have had to close.
- California's hotline began in 1991, in Sacramento only, supported by Area 4 Agency on Aging.
- It expanded to Northern California in 1994 with its first AOA grant of \$100,000 a year for three years. Another followed in 1998. A 2001 proposal was successful, but all grants were suddenly cut to one-year following September 11, the amounts were also reduced to \$95,000.
- California's 2002 proposal was unsuccessful after a crucial part of the package (20+ letters of support and commitment from partners) was lost in AOA's Washington office. We had to cut back on staff but were kept alive at a reasonable level with local support, primarily from Area 4, and a temporary uptick of in-kind financial support from LSNC.
- California's proposal was top-ranked in the 2003 AOA competition, winning one of four new, three-year grants out of about 25 applications. It provided \$135,000 a year for three years -- but for the first time, was meant for service to the entire state. This had long been our wish, but with California's immense population, the grant came to less than 3 cents per senior, as opposed to an average of 16 cents among other grantees, some much higher than that.
- AOA adopted its new tack in 2006, permitting only state agencies to apply for statewide legal assistance grants. For a combination of reasons, California decided not to apply – among them, the small amount available (\$100,000 maximum), the short time frame, state regulations that make it hard to even apply for new federal funding and even if successful, would have made it difficult if not impossible to use the funds for direct support of the hotline.
- Between loss of the federal grant and the conclusion of several foundation grants, SLH faced a gap of \$300,000 needed to maintain service levels through 2007. Several one-time donations filled part of the hole, but the program has already been hit by severe staff cutbacks, and more loom. Client service is significantly affected.
- In the long term, stable funding sources must be developed to ensure SLH is able to continue providing its service at 2005-06 peak levels And significantly higher amounts are needed to

meet the huge demand from seniors who were unable to reach SLH advocates even then.

### **CURRENT STAFF**

- Two full-time attorneys, including the program manager (down from four).
- One part-time attorney to coordinate SLH's mediation program (enabled by a temporary grant).
- Three full-time paralegals (one subject to cutback midyear if more funds are not forthcoming).
- One full-time support staff (down from 1.8)
- Two Americorps VISTA members, assigned to SLH for capacity building work, a year at a time.
- Several dozen regular volunteers, most of them active or retired attorneys. Others are paralegals, law and paralegal students, a social work student intern, a receptionist and an outreach assistant.
- A corps of community interpreters for multiple languages, also all volunteers.
- Dozens of volunteer attorney and other on-call consultants.

### **BUDGET**

- \$571,000 in expenses for 2005, not including the value of in-kind support (volunteer time) or large one-time capital expenditures (new phone system).
- Current projected expenses for 2007: \$415,000 (projected revenue at this point: only \$316,000) .
- This is not nearly enough to provide service at an optimal level statewide, and the fact that even much of what remains is short-term precludes the stability that could allow more permanent hires and other long-range planning.

### **INTAKE METHODS AND CASE HANDLING:**

- Depending upon call volume at the moment a phone rings, the design is for a call to SLH to be handled in one of four ways (*see note below for the current reality*):
  1. An advocate picks up the phone directly and provides immediate service; as many as possible staff and volunteer advocates are on duty during open line hours (9 to 12 and 1 to 4 M-F, to 7:00 p.m. on Thursdays). If a case will be complicated, they may make an appointment to call the client back later (perhaps after conducting some research), ask that copies of relevant documents be sent in or pass the call on to another staff member who has more expertise regarding the issue.
  2. When all available advocates are occupied, callers have the option of leaving their number, which then goes into queue for an automatic callback when the next advocate becomes available. They can also hang on for a short time, then get forwarded to a receptionist, who establishes eligibility, gets a general description of the issue and makes an appointment for an advocate to call the client back within two days. If the client explains why it is urgent, an advocate is found immediately or a callback promised later the same day. Similarly, when callers say they have just a "quick question," every effort is made to provide faster service.
  3. If receptionists are so busy that the call goes through to voice mail during work hours, the message is retrieved and the client called back the same day if possible, either by an advocate or by a receptionist, depending on availability.
  4. Data from non-urgent calls taken by a receptionist when no advocate or appointment is available, and voice-mail messages left during non-work hours, are entered on generic callback forms and attended to if advocates become available.

- ▶ *With the recent cutbacks and the continued dissemination of SLH's number through ripple effects alone, this system has been seriously disrupted. On a typical day lately, 30 to 50 callers who enter their numbers for a callback do not get served, and this doesn't count those who give up when they hear how many are in line ahead of them.*
- SLH also accepts queries by e-mail, through a form on the web site (English or Spanish). Messages are answered within a day if possible, resulting in a phone appointment with an advocate. For non-urgent matters, this method benefits clients and staff alike: clients can submit questions any time of day or night -- no busy signals or phone queue. Advocates receive the messages with the demographic information they need to open the case, saving phone time and reducing potential for error. They usually also receive a much more detailed description of the facts and issue, enabling them to conduct efficient research if necessary before calling the client back.
  - ▶ *An increasing volume of e-mail requests as more seniors go on line is also beginning to disrupt this system in light of the cutbacks. Giving most available appointments to e-mail requests shortchanges callers.*
- SLH offers additional services, including advocacy to settle problems, when the issue is amenable to such resolution with limited involvement and that the client is unlikely to succeed alone or find other help easily. This can mean, for instance, review of documents that clients mail or fax, forms completion or pro per coaching, communication with other parties or negotiation.
- When a client clearly needs more than the hotline can offer, every effort is made to find an appropriate source of help. Advocates are instructed to refer elsewhere only when confident that the referral will be effective. Advocates often make referral calls themselves to facilitate a connection, offering also to forward documents, fact summaries and legal research already done.
- SLH's overall approach to legal services is "wholistic."
  - No subject is excluded: Advocates speak for at least a few minutes with any caller who perceives her/himself as seeking help about a legal issue.
  - We decidedly do not consider referral as a main part of our job. If we can answer a question, help solve a problem, we try to do so, referring clients to other agencies only when it is truly appropriate and/or beyond our capacity.
  - At the same time, we strive to maximize coordination with the network of local legal services programs in the region – LSC- and OAA-funded.
  - Advocates are instructed to listen for/ask about other issues that may be affecting a caller's well-being or that may help him/her maintain independence and self-determination.
  - We are willing to talk with other parties who call about eligible clients if there is a reasonable explanation as to why we cannot talk with a client directly. But we always explain that we consider the client to be the subject of the call and that the advice we can offer may be limited if the issue is one that could involve a conflict of interest.
  - We incorporate social work student interns, who conduct mini-case management to ensure that seniors who appear to have other serious problems get connected with the right address.
  - We emphasize preventive education when at all possible, and have at times obtained additional funding to prepare extensive educational materials on many subjects and make public presentations, especially near our home base. All materials we develop are freely shared with other legal services providers.
  - The quantity of calls we get enables us to spot trends that are affecting large numbers of

seniors and to try to mobilize coordinated advocacy.

#### **CLIENT/CASE STATISTICS:**

- From 1994 to 2003, SLH served seniors in 41 counties, from Santa Cruz-Merced to the Oregon border. Since 2004 it began taking calls statewide, though even during the better times in 2005-06 we moved slowly with outreach in the south with its huge population. Gradually Southern California cases have risen to approximately 30 of the total in 2006.
- We also occasionally receive calls from seniors in other states, referred by their hotlines, regarding California issues. We help when we can. The existence of a nationwide network of senior legal hotlines (in 25 states) enables them to reciprocate, benefitting California seniors.
- SLH has handled nearly 80,000 cases since its founding, nearly 20,000 of those in 2005 and 2006, far more than any other state's senior legal hotline.
- Demand for service is much higher; with sufficient staff and only slightly more assertive outreach we could easily be handling 20,000 cases a year. Full service to meet demand would likely be twice that again.
- A careful one-month tally found that we receive and/or make an average of 2.13 case-related calls per case. Most cases involve only one call. Some involve many more – follow-up calls to and from the client and/or calls to other parties.
- Average time per case is 0.9 hour for all cases. The figure includes time spent talking with the client, researching the specific issue in question, reviewing documents, engaging in any additional case-specific advocacy and writing up notes. It does not include time spent by supervisors answering questions about the case or reviewing it after the fact.
- 90 percent of cases are “counsel and advice” only – average time: 0.7 hours, though even some of these may be quite a bit more.
- Brief service or more is involved in 10 percent of cases; average time for them is 2.7 hours. (Many of these cases may also involve an hour or less, as the definition is the nature of the service, not the time spent.)
- 69 percent of clients are female, 31 percent male.
- 22 percent are nonwhite (28 percent in Sacramento, which still has the most cases; numbers are lower in rural areas).
- At least 34 percent are disabled (likely underreported, as volunteers don't always remember to ask if it doesn't come up in the conversation and isn't relevant to the case).
- More than half live alone.
- About 55 percent are low income (by older, more stringent than current LSC financial eligibility standards – determined in an intensive one-month survey in which precise information was asked of new clients). Many others have incomes just over the cutoff, thanks mostly to Social Security, but can't come close to affording private attorneys.
- Nearly half receive written materials on the subject of their question; all receive SLH's “Senior Legal Checkup” for their own use, along with a listing of various assistance programs available to low- (and some moderate-) income seniors, a brief satisfaction survey (see below) and a request for voluntary donations if they can afford it.
- SLH typically receives 10 to 15 client donations a week (the number was higher when more cases were being handled), averaging about \$25 each.

## **QUALITY CONTROL**

- For case management, we are now in transition to a web-based case management system. Due to our large volume, we are meticulous about record-keeping, and the data can be readily sorted, searched and used for reports.
- Advocates write narratives on the issues, relevant facts and advice and/or resolution for each case. Every case write-up is reviewed within days of closing by a veteran staff attorney, and questions or suggestions for further action are returned if necessary to the advocate who handled the case. Ongoing cases are reviewed frequently by the supervising or a senior staff attorney. Difficult and instructive cases are discussed at staff meetings.
- Surveys are sent by mail to all clients when their cases are closed. They are asked five questions and are given the opportunity to add comments. Return rate is around 10 percent. Following is a tally of the responses for 2005-6:

<b>Question</b>	<b>Yes</b>	<b>No</b>	<b>Not applicable/Other</b>
Did we understand your problem?	94%	3%	3%
Were we courteous?	99%	–	1%
Did we handle your problem satisfactorily?	90%	5%	5%
If couldn't help, did we explain why sufficiently?	41%	5%	54%
Would you seek our help again?	88%	4%	8%

The occasional criticism is examined to see whether follow-up contact is advised. It is also extremely helpful in instituting changes that improve service. Participants at educational presentations are also asked to complete an evaluation form, which helps us design future events.

- In 2002, we participated in an AARP-sponsored national senior legal hotlines outcomes study: We and two other hotlines sent surveys to all clients two months after case closure for a six-month period to examine the impact of our service. The report is available on line at <http://www.legalhotlines.org/standards/sroutcomesfinalreport03.pdf>
- We welcome and encourage feedback from any other individuals and agencies with which we are in contact in the course of our work.

## **CURRENT SPECIAL PROJECTS**

- Caregiver support for grandparents and other older adults caring for minors: educational materials and outreach, assistance with forms completion for court. Funding for this extra help applies in Sacramento, with low-income grandparents under age 60 also eligible for help there. (Phone advice and written materials are available for senior grandparent and other relative caregivers throughout the state.)
- Social work intern: Does most intake on grandparent caregiver cases; also available for mini-case management with clients who seem confused, troubled or otherwise in need of help connecting with other agencies. Home visits are an option for local cases.
- Multilingual capacity building: We have trained several dozen community interpreters in 15 languages who are available to assist in advising non-English speakers. The 2004 version was professionally videotaped to enable continued recruitment to expand the program. The new phone system will enable refinement of communications with callers in other languages.
- Mediation: A law graduate on a fellowship spent approximately half his time developing a mediation program as an adjunct to our service. It began operation in February 2005 and is

attracting nationwide interest as a prototype that other legal hotlines may adopt.

- Work with state legislators and others to create a transfer on death deed for real estate. It would reduce the appeal of trust mills and provide an easy solution for low-income homeowners.
- Beginning July 1, 2006, LSNC became the sole provider of legal services for seniors in Sacramento County. The hotline continues to be the main intake avenue; methods for delivery of new services are still being developed.

### **COLLABORATION WITH LOCAL PROVIDERS**

- We request frequently updated information from local senior legal services providers on their case handling priorities and service levels.
- Regular communication, including personal contact visits when possible, to learn of changes in staffing and service, obtain feedback on referrals in both directions and discuss collaborative outreach, division of responsibility by case type, etc.
- Collaborative outreach when desired by all. This can mean: Development of joint fliers with agreed wording to help guide clients on whom to call when; mention of the local program in any media or other outreach we do, urging the outlet to include both; encouraging the local program to include the hotline similarly in its outreach. SLH's sensitivity to local needs and wishes means we do very little outreach in some counties if local program managers request it.
- Use of our "Referral Notification" fax form to notify local programs when referrals are made.
- Senior programs at LSNC offices (Humboldt, Del Norte, Tehama, Butte, Glenn, Colusa, Placer, Nevada, Sierra, Yolo and Solano counties) now have access to SLH cases, and vice versa.
- SLH hosts California's senior legal services list-serve, enabling advocates from all 38 offices around the state to share news, make announcements and raise questions about procedures, funding, cases and larger issues.
- SLH seeks other opportunities for contact and networking, for instance at trainings co-sponsored with AARP, the Legal Aid Association of California, the state Department of Aging and our own (usually) annual Elder Law Overview.
- SLH took initial steps in 2006 to create its own advisory board to provide better feedback from key partners, a number of whom have helped with networking needs. The funding crisis has put the project's formal development on the back burner, but it remains a near-term goal.

### **OTHER ASPIRATIONS**

- Achieve better, more coordinated outreach and capacity building to make the service available to all California seniors, subject to local programs' needs.
- Publish numerous additional basic fact sheets, more detailed guides and self-help packets.
- Restore ability to serve under-60 grandparent caregivers with at least phone advice statewide.
- Undertake new, focused education and advocacy projects in areas of perceived need such as elder abuse prevention, trust mills and foreclosure prevention.
- Support the National Association of Senior Legal Hotlines in its advocacy for change in federal support amounts and mechanisms so that all states could have hotlines and larger states would receive funding commensurate with their populations.
- Achieve state support for enhanced senior legal services programs, with greater coordination between SLH and local programs, under California Department of Aging leadership.